

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-C-910

NCR CORP., et al.,

Defendants.

ORDER

Defendant NewPage Wisconsin Systems, Inc. has filed a motion seeking an extension of time in which to file its answer. It states that it has been in settlement talks with the United States and would like until February 18 to serve its answer (which was otherwise due on December 20). The government opposes the request in principle, but would agree to a shorter extension. Generally the pendency of settlement talks should not prevent a party from filing a responsive pleading, as such a pleading is usually formalistic and would not prejudice such talks. Counsel for Defendant NewPage has cited illness, however, as well as certain complexities in the settlement discussions that have given rise to the need for an extension of time. I conclude that some extension is appropriate, but agree with the United States that the length sought by NewPage is excessive. Accordingly, the motion for an extension of time is **GRANTED** in part: NewPage's answer will be due February 1, 2011.

SO ORDERED this 5th day of January, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge